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## BEATTIE TO THE CHAIR END OF NOTED TRIAL WITH END OF THE DAY

The Jurors, Their Minds Made Up Leaving the Court Room, in the Jury Room Prayed Fervently on Bended Knees for Divine Guidance

THE FIRST VERDICT WAS DEFECTIVE  
DEGREE OF MURDER WAS OMITTED

The Stern Words of the Judge in Sending the Defendant to Death November 24, Doomed Man Broke Down in His Cell

CHESTERFIELD COURTHOUSE, Sept. 8.—Henry Clay Beattie, Jr., to night was found guilty of murder in the first degree and was sentenced to be electrocuted at Richmond November 24.

The jury was out 58 minutes when it brought in its first verdict. It failed to specify the degree of guilt, and Judge Watson instructed the jurors to return and reconsider the verdict. A few moments later the jurors again returned and the foreman announced that a verdict of murder in the first degree had been found. The penalty was electrocution. The defense's counsel moved to set aside the verdict on the ground that it was contrary to the law, and the evidence and on account of misdirection by the court, because of various rulings on evidence excepted to by the defense. The court overruled a motion for a



HENRY C. BEATTIE, JR., Young Richmond Resident Who Was Yesterday Found Guilty of Murdering His Wife

new trial and stated that the trial had consisted almost entirely of questions of fact, no material question of law entering into the jury's decision.

The defense asked forty days to file a petition for a writ of error to the supreme court of appeals of Virginia. Attorney Wendenberg for the state asked that the defense be restricted to within a few days of the meeting of the supreme court in November. The judge decided that in view of the fact, the defense's request was not unreasonable, and he granted a stay of execution for ninety days.

After Judge Watson had sentenced Beattie to be electrocuted at Richmond on November 24, the prisoner was asked if he had anything to say. He replied, "I have nothing to say." To friends the prisoner stated that he had not yet lost hope. Court was adjourned at 7:22.

### PRAYED AGAINST ERROR.

The Dramatic Manner in Which the Verdict Was Found.

Twelve Virginians, mostly farmers, knelt at dusk tonight in the obscurity of the small jury room of the Chesterfield Courthouse, and prayed fervently that they might pass judgment aright upon Henry Clay Beattie, Jr., indicted for the murder of his wife, whose body was found in a ditch near a farm house, and who had been indicted nearly an hour, then, silently one by one they recorded the verdict of guilty.

After weighing carefully the meaning of their decision, once more on bended knees, beseeching divine assistance against possible error, at the end of 58 minutes the jurors filed into the hushed, and crowded courtroom and with startling suddenness, twelve voices, instead as usual, one, that of the foreman, spoke the word "guilty" in chorus. It was almost a shout. The prisoner sat with steady gaze.

"Not Yet Lost." The court of appeals will be asked to grant a writ of error and a new trial. Young Beattie, coadjutor of the legal weapons yet at his disposal, did not surrender. Instead, he consoled his brokenhearted father, and comforted him as he whispered, "I am not lost yet, father."

Unusual as was the tragedy, the

jurymen did not hesitate to tell their friends that they stood in judgment not only upon the cold-blooded murder but on Beattie's matrimonial infidelity as well.

The Closing Argument. Prosecutor Wendenberg concluded his address to the jury a few minutes past 5 o'clock. A brief respite was given the jury, and at 5:25 it began the consideration of the case. For fifty-eight minutes the jurors were deep in consultation and prayer. They are men of simple life, who each morning during the trial sang hymns and strove to forget the story of dissipation as related on the witness stand. What was generally predicted was true, namely that their minds were made up before they left the court room.

The Sporting Page. In the courtroom in the meantime sat Henry Clay Beattie, Jr., the sporting page of a newspaper spread out before him. But he did not read long. He folded the paper and concealed his face in it. Then he raised his head a moment and whispered a few words to his father and brother.

It was nearly dark in the courtroom when the jury returned. On every window sill rested a telegraph instrument and an operator awaiting to "flash" the announcement of the verdict.

The court asked the prisoner to rise. Calmly he stood up and waited. "Have you gentlemen agreed upon a verdict?" asked Judge Watson. "We have," said Foreman Burgess, and almost at the same instant that Judge Watson asked "What is your verdict?" all twelve men yelled, "guilty."

The Jurors Forgo. Unversed in the law and forms of a murder trial, the jurymen had not specified what degree murder. Asked what degree, the foreman simply answered, "guilty as indicted." Under the Virginia practice, murder is presumed to be second degree, unless otherwise specified. It is incumbent on the jury to fix the degree and the court advised the jurymen to confer again upon this point.

Accused's Attitude. Seven minutes later they returned a verdict, "murder in the first degree." The prisoner stood erect and motionless. His face, a yellowish green during the day, was immobile. His eyelids sagged but he did not blink. It was not a resentful expression, however, and when the court asked the prisoner if he had anything to say he replied: "I have nothing to say." He then sat down.

A perfunctory motion for a new trial was made by counsel for the defense. The usual granting of permission to argue the point was denied, as Judge Watson, in a stern voice, declared that all the trial rulings of the court had been on comparatively unimportant details and could in no way have influenced the verdict.

A stay of execution was granted, however, in order to give counsel for defense an opportunity to apply for a writ of error when the court of appeals meets in November.

Words of Doom. Judge Watson then ordered the prisoner to stand for sentence. He first told how the young man had stained his own life and that of the community in which he lived by sordid acts.

When the trial first started," said the court, "I hoped that Virginia might be cleared of a crime for which not only the state felt shame, but the whole country as well. I hoped that counsel would prove you innocent, but the evidence has been overwhelming. You have had a fair, impartial trial and the jury has done what it considers its duty. Therefore you have been convicted of murder in the first degree, and on November 24, between the hour of sunrise and sunset, you must forfeit your life to the community. May God have mercy on your soul."

Wept in His Cell. A moment later, by the side of his father and his brother Douglas, Beattie walked in darkness toward his cell. The crowd thinned and peered into the cell, illuminated by a single lamp. On the bed, his head in his hands, sat Beattie, his father and brother beside him. Jailer Cowgill sent the curious crowd away and only a few prisoners saw Beattie break down and weep in the solitude of his cell.

PRINCETON WINNER. PHILADELPHIA, Sept. 8.—Princeton won the doubles in the tennis championship at the intercollegiate tournament, and defeated Harvard today. The singles rests between Harvard and Yale, to be decided tomorrow.

## ASTOR WEDDING REPORTS CONFLICT MAY BE TODAY

Colonel and His Bride Are to Leave on a Week End Cruise

A WILLING CARPENTER

NEW YORK, Sept. 8.—Col. John Jacob Astor, accompanied by his fiancée, Miss Madeline Talmage Force, and her father, sailed from here late this afternoon, in Col. Astor's yacht Norma, for what it is announced will be another week-end cruise in Long Island sound.

Statements made by Col. Astor just before he embarked indicate that the marriage will not take place within three or four days at least, and set at rest scores of rumors float today. The colonel denied the report emphatically, that the marriage had already occurred secretly in Connecticut. He denied also that the present voyage will be a cruise to Bermuda. It is only a fishing trip he said and he will return on Monday. There will be no marriage on the yacht either.

Special dispatches from Newport tonight are definite in declaring that Astor will be married tomorrow at 10 o'clock at Beechwood, the Astor home. Immediately thereafter, the report says, the colonel and his bride will leave on a cruise on the yacht Norma for southern waters, then go to Europe, and not return until next spring.

Carpenter and "Joiner." PROVIDENCE, R. I., Sept. 8.—Edwin S. Straight, a retired Baptist minister, but for years a follower of the carpenter's trade, admitted that he was approached by Richard E. Comstock, a lawyer who had sounded several preachers as to the willingness to marry Col. Astor.

Straight said he was willing to perform a ceremony for "anybody" with license and said that those who had refused the offer of \$1,000 to perform the ceremony for Astor, were "foolish."

## MODEL TOWN'S MAYOR ARRESTED FOR BRIBERY

Job Successfully Put Up on Chief Executive of Gary, Ind.

GARY, Ind., Sept. 8.—Mayor Thomas E. Knott was arrested today on the charge of accepting a bribe of \$5,000 in connection with a heating franchise. He gave a \$10,000 bond.

Walter Gibson, councilman, was arrested, charged with soliciting a \$500 bribe for the same franchise. T. E. Dean signed the warrants, just after he left the office of the executive with the franchise in his pocket.

Before entering the office he was searched for proof that he had \$5,000 in his pockets. After he emerged with the franchise he told the officers they would find the money in a pigeon hole in the mayor's desk.

Later four other city council men, city engineer W. A. Williston, and four aldermen, were arrested on the charge of accepting and soliciting bribes for heating franchises. Mayor Knott accuses the bribery charge, and says that he can easily prove his innocence. A dictograph, said to have been placed in Dean's room in the hotel, and one surreptitiously placed in the office of the mayor, is expected to be used in the prosecution of cases.

Mayor Knott was arrested on May 1st on charges of embezzlement, malfeasance and perjury while in office, but the charges were dismissed. Dean says he gave Knott \$5,000 and others \$250 to \$2,000 each.

YOUTH FROM YUMA. Caught While Trying to Hold Up a Maryland Bank.

LAUREL, Md., Sept. 8.—A masked man entered the Citizens' National Bank at noon today and demanded the money lying on the teller's desk. Cashier Walters, however, began firing, and the robber fled.

He was captured later, and gave the name of Henry Jackson, aged 17, and said he came from Yuma, Ariz. Jackson said he thought it would be an easy way to get a "stake," but when he saw the cashier, he weakened and fled. He said he had beat his way east.

Tonight Jackson said his name was really John R. Morgan, and that his home was in Mojave, Cal. He declared that when he entered the bank he was determined to kill every man in it if necessary, but he lost his nerve at the sight of the big gun in the hands of the cashier. He was captured after a chase of two hours.

MEETING OF COLONELS. W. J. Bryan Was a Visitor at Outlook Office.

NEW YORK, Sept. 8.—William J. Bryan dropped in today at Colonel Theodore Roosevelt's editorial office. He spent some time with the former president.

After the visit Colonel Roosevelt said: "Mr. Bryan and I had quite a nice visit. We had a general talk on interesting subjects; that's all."

## SEEMED CRAZY NOT LONG AGO

Those Who Favored Government Ownership or Rigid Control of Public Utilities

THEORY GROWS WITH INSURGENCY

Government Operation of Transportation and Ownership of Coal Mines Agitation

(By Victor Elliott.) WASHINGTON, Sept. 8.—The old saying, "That times alter all things," is substantiated by the great amount of interest that is being manifested, and the discussion that is arising from the question of government ownership and operation of public utilities. It is coming to be considered so constantly and so seriously that it no longer excites comment. It has been a few years since a person advocating such an idea was looked at and ridiculed. Today it is entirely different. Some recognized leaders of both the great political parties are supporters of government ownership operation and development of public utilities. So important has the question become that it may be incorporated in the party platforms of the coming campaign.

Signs in Congress. During the last two sessions of congress bills have been introduced looking to government ownership of mines, railroads, express companies, steamship lines and other industries classed as public service concerns. These bills are no longer completely ignored by congress, but are seriously considered. The consideration which they have received in the past will not compare with the attention that they are destined to receive. Much of the next session of congress will be occupied with the settlement of the question of Alaska.

Ex-President Roosevelt has stamped with his approval any measure toward restoring to government control the natural resources of Alaska. He also is a believer in the idea of government ownership and development of transportation in Alaska. The large interests have already acquired a footing in the coal lands of the territory and if the government is to save them it cannot delay. That the government intends to try and retain control of the coal lands is evidenced by the decision of the department of the interior in the famous Cummins case. By this decision annulling the title of the holders of coal lands, extensive areas in the richest portions of the coal fields valued at hundreds of millions of dollars reverts to the government.

LaFollette Goes Farther. Senator LaFollette of Wisconsin, true to his name of "Fighting Bob," has seized upon ex-President Roosevelt's idea and has taken a step farther in the same direction. He introduced in the last session of congress and will again in the next session re-introduce his bill, promoting government ownership and operation of public utilities in Alaska. Senator LaFollette is perhaps the bitterest enemy that the great industrial corporations have in the United States senate. He will leave no stone unturned to shut off this great avenue of wealth to them. The senator in a speech in the senate at the last session of congress declared the vast wealth of Alaska belonged to the people of the United States, and not to a few rich men who would try to combine their great wealth to gain control of Alaska, that they might grow more powerful and seize upon the hands of the people.

It would be criminal on the part of congress not to take steps to reserve these vast natural resources to the people. Pointexter's Plans. The great northwest is intensely interested in what the government will do in the Alaskan question. Senator Pointexter of Washington, is another member of congress who is pressing a bill for the conservation of Alaskan resources in congress. His bill is along the same general lines as Senator LaFollette's, and only differs from it in minor details.

The bill provides that the government shall open and operate a great coal mine to provide coal for the navy that it shall take over and develop the railroads and that it shall own and operate a line of steamships to Alaska.

Another evidence of the magnitude of this question of government ownership and regulation of government utilities has assumed in the numerous plans advocated for government ownership of all the transportation facilities across the Panama canal one. It is also proposed that the government own and operate a line of fast steamships to Panama.

Senator Cummings of Iowa is sponsor for this idea. He wants all steamers in the Panama canal trade in government hands in order to assure that the route will never fall under domination of interests allied with transcontinental railroads. In time, of war he would make the vessels of the government fleet auxiliaries to the navy. Senator Works of California, is backing a similar piece of legislation.

Panama Precedent. Representative Norris of Nebraska, has given particular attention to the

## NO THREE YEAR TERM SAYS GOVERNOR SLOAN AS TO TENURE MUDDLE

Only an Act of First Legislature Can Extend Terms Beyond One Year

NO MORE REGISTRATION (Special)

PHOENIX, Ariz., Sept. 8.—Governor Sloan in a statement prepared today takes issue with the theory that unless the first legislature other provided, Arizona cannot hold its second election until 1914, assuming that the president's proclamation does not issue until January of next year.

He contends that the enabling act and the statute, construed together, makes an election next year imperative unless the legislature takes contrary action. His opinion is quite long, quoting the law.

Attorney General Wright, responding to the request of district attorneys, issued an opinion that there can be no legal re-registration for the coming election. Only those eligible to vote at the last election may vote this year.

## WIDELY DIVIDED ON WOOL RATES

Replying to Complaints Against Them Railroad Men Say They are Too Low

CHICAGO, Sept. 8.—Attempts to show that freight rates on wool from the Mississippi to eastern markets has materially increased since 1896, were made today before Interstate Commerce Commissioner Proctor, who is investigating the complaints of shippers that rates are unreasonable.

Attorney Victor Johnson, for the National Wool Growers' association, said that the rates have increased since 1896. W. R. Allier, assistant general freight agent of the Northern Pacific, denies that his company has increased its wool rates since 1896, but he said that the present tariff was too low. He said that conditions in the wool growing country warrant an increase.

F. W. Houghton, freight traffic manager of the Santa Fe, testified that wool traffic was highly desirable from the carriers' point of view. He said that his road had handled 20,278 tons for the year ended June 30, last, which was an increase of several thousand tons over the year previous.

After former Governor Gooding, of Idaho, president of the National Wool Growers' association, has testified tomorrow, the hearing will adjourn to Albuquerque, Denver, Salt Lake, Phoenix and Portland.

## DWINDLING DOMAIN IN ONE NEW STATE

When New Mexico Takes Its Share Little Will Be Left

SANTA FE, N. M., Sept. 8.—There are 33,783,947 acres of public land subject to filing in New Mexico against 58,009,000 ten years ago, but after the state has selected its lands there will not be more than 25,000,000 acres left, and all the best lands have been selected," said Secretary W. D. Manning of the New Mexico bureau of immigration today.

"Those who wish to file on a farm in Uncle Sam's domain would have to do so soon." The last fiscal year there were 9667 filings for 1,718,000 acres; 121,999 filings for 2,320,000 in 1909. This year it is expected the filings will be 20,000.

Panama railroad and its functions. The Panama railroad is a corporation owned by the government. It has all the powers and the limitations of any other corporation, but the stock is owned by the government. It furnishes a good illustration of what a railroad can do to develop a community. The corporation conducts the railroad, builds towns, operates streets, builds and runs hotels and hospitals, and has made sanitation on the canal no longer a theory.

So gratifying have been the results of the experiments of the Panama railroad that Mr. Norris thinks the Panama Railroad company a model for a government owned corporation to control Alaska's public utilities. He believes that a corporation with proper powers, and financed by the United States treasury, could take over the railroads now in existence in Alaska and build new ones as needed, could operate steamship lines, develop the mines, and sell their product, build and manage towns and industrial centers, just as the Panama Railroad does.

There can be little doubt that a bitter fight between the "interests" and the men who want government ownership of public utilities will be waged in the next session of congress.

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## STRIKE QUITE UNAVOIDABLE ON S. PACIFIC

It is Certain That Vice President Kruttschnitt Will Not Yield a Point

FEDERATED SHOPMEN ARE EQUALLY STUBBORN

General Officers of Federation See Way By Which Collision May Be Averted

SAN FRANCISCO, Sept. 8.—Officials of the five craft unions comprised in the federated shopmen on the Harriman lines will probably determine definitely at a meeting tomorrow what to do about the refusal of Julius Kruttschnitt, vice president of the system, to recognize the federation.

No one can be found here who believes that Kruttschnitt will concede one particle from the stand he has taken. It was also regarded tonight as almost certain that the men will not concede from their vote to authorize a strike, nor are they willing to temporize, either by proffering minor demands, or letting the question of recognition go over three months, or any other length of time.

If there is any way to avert a collision, the general officers of the federation tonight say they are not aware of it. Pressure for a strike, it is said, is insistent east of the mountains, but more insistent along the coast.

Ready to Strike. CHICAGO, Sept. 8.—Aside from an announcement that the shopmen of the Illinois Central have been notified to hold themselves in readiness to strike, there were no developments in the railroad labor situation today.

The union officials maintained that the issuance of the order to shopmen does not necessarily portend a strike. The officials said that as a walkout was a possibility they thought it best to have the men in a state of preparedness. Now that the order has gone out, it is said that the shops can be cleared in a few moments. No further action is likely by the union heads until Sunday.

## MR. FISHER SPEAKS OF ALASKAN AFFAIRS

He Touches Upon His Policy at a Seattle Banquet Last Night

FAVORS LEASING SYSTEM

SEATTLE, Wash., Sept. 8.—At a banquet tonight, Secretary Fisher of the interior department forecast some of the legislation he will recommend for the amelioration of conditions in Alaska.

"The government owes it to Alaska," he said, "to light the rocks, shoals and channels, and to build roads and trails, especially in the interior, and make a larger appropriation for surveys in the interest of the homesteader and mineral claimant."

"Any law that Controller Bay is a more valuable harbor than Seattle. I do not know it. I am not violating any confidence when I say that Controller Bay is not the only possible harbor for the coal fields of Alaska, and is far from being the best harbor."

"I was seriously disappointed at what I saw of the Bering coal fields. Reports of their extent and character are grossly exaggerated. There is a serious question as to the market for this coal. Concerning the coal claimants, I shall strive for absolute justice and the administration of the law as it is."

"My policy will be to open the coal fields as soon as it can be done. The first solution will be to restrict private ownership. I shall waste no time on this remedy. The hands of the clock do not turn back. The day of such ownership is gone. Second, I favor leasing the lands, because it gives promise of greater returns to all concerned."

## HETTY GREEN NAMED FOR OHIO COUNCILMAN

LIMA, O., Sept. 8.—For council from the fourth ward, "Hetty Green." That is the way it appears on the democratic ballots for the municipal election of November 8. The democrats put up no candidate at the primaries, and a dozen or more names were written in by the voters. An official canvass disclosed that Hetty Green, presumably New York's famous woman financier-millionaire, had two votes, while no other candidate had more than one.

## CROP REPORT UNFAVORABLE AS PREDICTED

The August Showing And Indications for Season Made Public Yesterday

ALL CROPS BELOW FIVE YEAR AVERAGE

August Rains in the Corn Belt Prevented Further Falling Away in That Cereal

WASHINGTON, Sept. 8.—The crop report issued today by the department of agriculture does not indicate much improvement in the condition of crops over the country, though weather for August was generally favorable. Some improvement is shown in corn for the month, though it is less than one percent in aggregate. Wheat shows a falling off of 10 percent in condition, compared with the ten year average, and the yield per acre is two bushels less than the five year average. Oats also fell off in condition, and average yield, as did tobacco, flax, and hay. Potatoes will be short crop, 20 percent below last year and 22 percent below the five year average. The total production of the principal crops, as indicated by the condition on September 1, as compared with last year follows:

Crops	1911	1910
Corn . . .	2,736,160,400	3,125,713,000
Spring		
Wheat . . .	202,418,600	231,399,000
All wheat . . .	656,762,400	695,432,000
Oats . . .	842,475,000	1,126,756,000
Barley . . .	142,871,000	192,227,000
Buckwheat . . .	15,499,600	17,293,000
Potatoes . . .	235,324,000	318,811,000
Tobacco . . .	638,280,720	984,349,000
Flax . . .	23,300,000	24,710,000
Rice . . .	22,632,000	24,510,000
Hay, tons . . .	46,888,530	60,798,000

The September crop report issued at 2:15 p.m. today shows the condition on September 1 and the yield per acre, as indicated by the condition on that date, of the principal farm crops of the country, and the preliminary estimate of the total yield of hay as follows:

Corn Conditions: 70.3 per cent, of normal, compared with 69.6 per cent, on Aug. 1, 78.2 per cent, on Sept. 1, 1910, and 79.3 per cent, the ten year Sept. 1 average. Indicated yield per acre, 23.4 bushels, compared with 27.4 bushels, the 1910 final yield, and 27.1 bushels, the average for the past five years.

Spring Wheat: Condition 36.7 per cent of a normal at the time of harvest, compared with 59.8 per cent, on Aug. 1, 63.1 per cent, at the time of harvest last year and 78.7 per cent, at the time of harvest for the past ten years. Indicated yield per acre 9.8 bushels, compared with 11.7 bushels, the 1910 final yield, and 13.5 bushels, the average for the past five years.

All Wheat: Indicated yield per acre 12.6 bushels, compared with 14.1 bushels, the 1910 final yield, and 14.7 bushels, the average yield for the past five years.

Oats: Conditions, 64.5 per cent of a normal at time of harvest, compared with 65.7 per cent, on Aug. 1, 83.3 per cent at the time of harvest in 1910, and 79.5 per cent, the ten year average. Indicated yield per acre 23.9 bushels, compared with 31.9 bushels, in 1910, and 28.5 bushels, the average yield for the past five years.

Barley: Conditions, 65.5 per cent, of a normal at time of harvest, compared with 66.2 per cent, on Aug. 1, 69.8 per cent, at the time of harvest in 1910, and 83.0 per cent, the ten year average. Indicated yield per acre, 20.3 bushels, compared with 22.4 bushels, the 1910 final yield, and 24.8 bushels, the average yield for the past five years.

Buckwheat: Condition 83.5 per cent of a normal, compared with 82.9 per cent, on Aug. 1, 82.3 per cent, in 1910, and 87.1 per cent, the ten year average. Indicated yield per acre 74.2 bushels, compared with 20.9 bushels the 1910 final yield, and 20.6 bushels, the average yield for the past five years.

Potatoes: Condition, 59.8 per cent, of a normal, compared with 62.3 per cent, on Aug. 1, 70.5 per cent, in 1910 and 78.9 per cent, the ten year average. Indicated yield per acre 74.6 bushels, compared with 94.4 bushels, the 1910 final yield, and 96.9 bushels, the average yield for the past five years.

Tobacco: Conditions, 71.1 per cent, of a normal, compared with 68.0 per cent, on Aug. 1, 77.7 per cent in 1910, and 82.3 per cent, the ten year average. Indicated yield per acre 714.6 pounds, compared with 797.8 pounds the 1910 final yield, and 826.0 pounds, the average yield for the past five years.

Flax: Condition, 68.4 per cent, of a normal, compared with 71.0 per cent on August 1, 48.3 per cent in 1910 and 81.8 per cent, the eight year average. Indicated yield per acre 7.7 bushels, compared with 4.8 bushels, the 1910 final yield, and 4.9 bushels, the average yield for the past four years.

Rice: Condition 87.2 per cent, of a normal compared with 88.5 per cent, on Aug. 1, 88.8 per cent, in 1910, and

(Continued on page 2.)